

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARTIN SANCHEZ,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. C-07-00176
	§	
DAN JOSLIN,	§	
	§	
Respondent.	§	

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DENY PETITIONER'S
MOTION TO PROCEED *IN FORMA PAUPERIS***


On April 20, 2007 United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner be found not indigent and that his application to proceed *in forma pauperis* (D.E. 2) be denied. The Memorandum and Recommendation further recommended that petitioner be instructed to pay the filing fee within twenty (20) days of the date of entry of any order adopting the Memorandum and Recommendation, or voluntarily dismiss the petition; and recommending finally that petitioner be advised that failure to pay the fee within the time period proscribed may result in dismissal of his petition for failure to prosecute. Seeing no objection to this recommendation by either party, noting petitioner's filing of a notice of intent to pay the filing fee dated May 21, 2007, and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court.

Accordingly, the Court finds that petitioner is not indigent and his application to proceed *in forma pauperis* (D.E. 2) is denied. Petitioner is instructed to pay the filing fee within twenty

(20) days of the date of entry of this order adopting the Memorandum and Recommendation, or voluntarily dismiss the petition. Petitioner is advised that failure to pay the fee within the time period proscribed may result in dismissal of his petition for failure to prosecute.

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 1st day of June, 2007.



Janis Graham Jack
United States District Judge